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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/475,602	12/30/1999	BRYAN J. MOLES	SAMS01-00097	6560
23990	7590	12/31/2007	EXAMINER DADA, BEEMNET W	
DOCKET CLERK P.O. DRAWER 800889 DALLAS, TX 75380			ART UNIT 2135	PAPER NUMBER
			MAIL DATE 12/31/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)
	09/475,602	MOLES ET AL.
Examiner	Art Unit	
Beemnet W. Dada	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 09 October 2007.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. ____.
3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date
5) Notice of Informal Patent Application
6) Other: ____.

DETAILED ACTION

1. This office action is in reply to an amendment filed on October 9, 2007. Claims 1-20 are pending.

Response to Arguments

2. Applicant's arguments filed 10/09/07 have been fully considered but they are not persuasive. Applicant argues that the art on record fails to teach a first controller capable of receiving from said unprovisioned mobile station an IP data packet comprising an IP packet header and an IP packet payload as recited in claim 1. Applicant further argued that the art on record fails to teach replacing said IP packet header with a replacement IP packet header comprising an IP address of a selected one of a plurality of provisioning servers associated with said wireless network as recited in claim 1. Examiner disagrees.

Examiner would point out that Hsu et al. (US 6,587,684 B1) teaches a first controller (Proxy server interpreted by the examiner as the first controller) capable of receiving from said unprovisioned mobile station (column 15, lines 1-10) an IP data packet comprising an IP packet header and IP packet payload (column 6, lines 22-29 and column 15, lines 1-9 and figure 4B), determining the unprovisioned mobile stations is unprovisioned [column 15, lines 7-10 and 21-25]. Further, Applegate et al. (US 6,321,336 B1) teaches a secure communication system, including replacing an IP packet header with a replacement IP packet header comprising an IP address of a selected one of servers (i.e., equivalent to provisioning server) associated with a wireless network [column 5, lines 34-65]. Examiner would point out that the combination of Hsu et al. and Applegate et al. teach the claimed limitations and indicated below and therefore the rejection is respectfully maintained.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hsu et al. US 6,587,684 B1 (hereinafter Hsu) in view of Applegate et al. US 6,321,336 B1 (hereinafter Applegate).

5. As per claims 1 and 17, Hsu teaches a wireless network comprising a plurality of base stations, each of said base stations capable of communicating with a plurality of mobile stations, a security device capable of preventing an unprovisioned one of said plurality of mobile stations from accessing an Internet protocol (IP) data network through said wireless network, said security device comprising:

A first controller (Proxy server interpreted by the examiner as the first controller) capable of receiving from said unprovisioned mobile station (column 15, lines 1-10) an IP data packet comprising an IP packet header and IP packet payload (column 6, lines 22-29 and column 15, lines 1-9 and figure 4B), determining the unprovisioned mobile stations is unprovisioned [column 15, lines 7-10 and 21-25]. Hsu further teaches transmitting the URL of a selected one of Provisioning Servers associated with the wireless device so that the wireless device can be activated by the provisioning server [column 15, lines 21-49]. Hsu is silent on replacing the IP packet header with a replacement IP packet header comprising an IP address of a selected one of the plurality of provisioning servers. However it is well known in the art to replace a packet

header with an IP address of a destination address of a server (i.e., in this case provisioning server) in order to route data to a correct destination address and further provide efficient data transmission. For example, Applegate teaches a secure communication system, including replacing an IP packet header with a replacement IP packet header comprising an IP address of a selected one of servers (i.e., equivalent to provisioning server) associated with a wireless network [column 5, lines 34-65]. It would have been obvious to one having ordinary skill in the art at the time of the invention to employ the teachings of Applegate within the system of Hsu in order to efficiently route packets and further enhance security of the system.

6. As per claim 9, Hsu teaches a wireless network comprising:

a plurality of base stations, each of said base stations capable of communicating with a plurality of mobile stations [figure 1];

at least one provisioning server [column 15, lines 30-32 and figure 1, unit 24]; and

a security device capable of preventing an unprovisioned one of said plurality of mobile stations from accessing an Internet protocol (IP) data network through said wireless network, said security device [figure 1 and column 15, lines 13-29] comprising:

a first controller capable of receiving from said unprovisioned mobile station (column 15, lines 1-10) an IP data packet comprising an IP packet header and an IP packet payload (column 6, lines 22-29 and column 15, lines 1-9 and figure 4B), determining the unprovisioned mobile stations is unprovisioned [column 15, lines 7-10 and 21-25]. Hsu further teaches transmitting the URL of a selected one of Provisioning Servers associated with the wireless device so that the wireless device can be activated by the provisioning server [column 15, lines 21-49]. Hsu is silent on replacing the IP packet header with a replacement IP packet header comprising an IP address of a selected one of the plurality of provisioning servers. However it is well known in the

art to replace a packet header with an IP address of a destination address of a server (i.e., in this case provisioning server) in order to route data to a correct destination address and further provide efficient data transmission. For example, Applegate teaches a secure communication system, including replacing an IP packet header with a replacement IP packet header comprising an IP address of a selected one of servers (i.e., equivalent to provisioning server) associated with a wireless network [column 5, lines 34-65]. It would have been obvious to one having ordinary skill in the art at the time of the invention to employ the teachings of Applegate within the system of Hsu in order to efficiently route packets and further enhance security of the system.

7. As per claims 2 and 10, Hsu further teaches the device wherein said first controller is disposed in at least one of said plurality of base stations [column 6, lines 25-30].

8. As per claim 3 and 11, Hsu further teaches the device wherein said first controller is disposed in a mobile switching center of said wireless network [column 6, lines 25-30].

9. As per claim 4-7, 12-15 and 18-20, Hsu further teaches determining the unprovisioned mobile stations is unprovisioned [column 15, lines 7-10 and 21-25].

10. As per claims 8 and 16, Applegate further teaches the system wherein said first controller selects said at least one provisioning server by selecting said IP address in said replacement IP packet header according to a load spreading algorithm [column 5, lines 34-65].

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beemnet W. Dada whose telephone number is (571) 272-3847. The examiner can normally be reached on Monday - Friday (9:00 am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Beemnet W Dada

December 22, 2007

RE4 VU
PATENT EXAMINER
ART UNIT 2135